

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB663)

Received: 1/29/2014 Received By: pkahler
Wanted: As time permits Same as LRB:
For: Rob Hutton (608) 267-9836 By/Representing: Phillip Pratt
May Contact: Drafter: pkahler
Subject: Real Estate - plats Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Hutton@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Limiting certified survey maps that may divide land into more than four parcels

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 1/29/2014	scalvin 1/29/2014					
/1			rschluet 1/30/2014		sbasford 1/30/2014	sbasford 1/30/2014	

FE Sent For:

<END>

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB663)

Received: 1/29/2014	Received By: pkahler
Wanted: As time permits	Same as LRB:
For: Rob Hutton (608) 267-9836	By/Representing: Phillip Pratt
May Contact:	Drafter: pkahler
Subject: Real Estate - plats	Addl. Drafters:
	Extra Copies:

Submit via email: **YES**
 Requester's email: **Rep.Hutton@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Limiting certified survey maps that may divide land into more than four parcels ✓

Instructions:

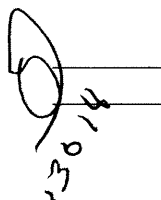
See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/? pkahler

1/1 SAC 1/1 SAC
 01/29/2014 01/29/2014



FE Sent For:

<END>

Kahler, Pam

From: Pratt, Phillip
Sent: Monday, January 27, 2014 12:36 PM
To: Kovach, Robert; Kahler, Pam
Subject: RE: CSM/Subdivision bill

Pam,

Could you draft this same amendment for AB 663?

Phillip Pratt
Legislative Assistant
Office of State Representative Rob Hutton
13th Assembly District
State Capitol, Room 3 North
(608) 267-9837



From: Kovach, Robert
Sent: Monday, January 27, 2014 11:29 AM
To: Kahler, Pam
Cc: Pratt, Phillip
Subject: RE: CSM/Subdivision bill

Dear Pam,

Could you please draft an amendment for SB 502 that follows the instructions below?

Senator Lasee intends to have a hearing & exec on this bill on Thursday at 9am. In order to meet the scheduling deadline, I would need to introduce the amendment before 9am on Wednesday. Is that possible?

Rob Kovach

Policy Advisor/Committee Clerk
Office of Senator Frank Lasee
(608) 266-3512

From: Larson, Tom [<mailto:tlarson@wra.org>]
Sent: Sunday, January 26, 2014 6:12 PM
To: Kovach, Robert; Pratt, Phillip
Subject: FW: [GRAYMAIL] RE: CSM/Subdivision bill
Importance: High

Rob and Phil,

As we discussed, we need to amend our CSM/Subdivision bill (LRB 3536) so that it doesn't affect the definition of "subdivision" under Wis. Stat. s. 236.02(12). If we touch this definition, we are going to trigger concerns from the state

agencies (DOA, DOT, DNR, etc.) which will generate concerns from other legislators. Moreover, I think we should limit the bill to only commercial, industrial and mixed-use lots. This will eliminate the concern that someone could create a 100-lot residential subdivision by calling it a "certified survey map" and thus avoid state review. We don't have time to fight that fight. These changes would address the concerns raised by DOA Plat Review. (See below.)

Accordingly, I would make the following changes to the bill draft (LRB 3536/2):

+ Delete Sections 1 through 7.

+ Section 9, paragraph (bm), lines 10-11 – after the word "reconfiguration" create two subsections that state "(1) does not result in a subdivision or violate a local subdivision regulation, or (2) is consistent with any ordinance or resolution adopted under par. (ar)1."

+Section 11, line 8 – after the number "4" add "if such parcels will be zoned for commercial, industrial or mixed use development."

Let me know if you have questions. Thank you.

Tom

Thomas D. Larson - Vice President of Legal and Public Affairs

Wisconsin REALTORS Association

4801 Forest Run Road Suite 201

Madison, WI 53704-7337

Phone 608-240-8254

Cell 608-212-0066

Fax 608-241-2901

<<<[<>>>](http://www.wra.org)

Unsubscribe: If you unsubscribe, you are directing the WRA to discontinue all e-mail to your e-mail address. You will not receive any further correspondence from the WRA via e-mail (including, but not limited to, education and convention reminders, political communications such as calls to action, dues information, committee materials, legal department communications including DR Hottips, etc.), and your e-mail address will be removed from all WRA membership lists, including the "Find a REALTOR" directory on the WRA Web site and membership lists furnished to other boards. To unsubscribe, click here: unsubscribe@wra.org <<mailto:unsubscribe@wra.org?subject=Unsubscribe>>

This e-mail message is intended solely for the person to whom it is addressed and may contain confidential and/or privileged information. If you have received this e-mail message in error, but are affiliated with the person to whom it is addressed, please notify the addressee that the e-mail has been received (otherwise delete it). Any review, dissemination, copying, printing or other use of this email message by persons other than the addressee is prohibited.

From: Powers, Renee M - DOA [<mailto:Renee.Powers@wisconsin.gov>]

Sent: Tuesday, January 21, 2014 3:05 PM

To: Larson, Tom

Cc: witynski@lwm-info.org

Subject: [GRAYMAIL] RE: CSM/Subdivision bill

Tom,

Here are my thoughts and suggestions on the concept of expanding the use of certified survey maps.

+ Limit the scope to commercial, industrial and mixed use

This was what we discussed when meeting with the City of Milwaukee.

+ Allow lot lines to adjusted in a timely and cost effective manner (i.e., shouldn't have to go to court to get the lines adjusted)

The statute currently allows lot lines to be adjusted by certified survey maps (CSMs) provided not more than four parcels, 1.5 acres or less in size, on contiguous land, are affected. Very few circumstances involve a court action.

I think we can modify s. 236.34, Wis. Stats to allow local units of government to pass an ordinance or resolution (most likely a resolution) allowing CSMs to reconfigure/create additional parcels by CSM if the situation warrants it without triggering the subdivision plat process. If believe this can be done by modifying s. 236.34 without changing the definition of subdivision in s. 236.02 (12), Wis. Stats.

+ Anything that constitutes a "subdivision" should be reviewed and approved by DOA, but subsequent changes to lots the plat (once reviewed and approved by DOA) should not have to be resubmitted to DOA for review and approval.

Developments that constitute a "subdivision" by the statutory definition or local definition would be reviewed and certified by DOA. If a local unit of government wishes to allow more than four parcels to be reconfigured/created by CSM instead of by subdivision plat.....those CSMs would be reviewed locally (or by DOA, not DOT, as we discussed and Curt questioned??)

+ Allow local communities to limit their own review of a plat to CSM standards and process (i.e., they don't need to perform a Ch. 236 review or approval)

CSMs ---- when used traditionally (current law) or used in an expanded fashion at the option of the local unit of government must comply with s. 236.34, Wis. Stats (which is limited to CSMs) and local ordinance requirements for CSMs.

Also, what is the current time limit for DOA review and approval? I believe that this was addressed a few years ago and 90 days is the number that comes to mind, but someone asked me the question today and I couldn't recall for sure. Finally, can the local review and state review occur concurrently?

DOA reviews CSMs in 20 days or less with a review fee of \$100/map. Local units of government have 90 days to complete their review. Yes, reviews can happen concurrently and many do – it works best that way. The local review process per their ordinance determines this.

I hope this helps. I appreciate being able to work with you and Curt on this. I will be back in the office next Monday, but will be checking email. Let me know if you have additional questions.

Thanks again,

Renee

From: Larson, Tom [<mailto:tlarson@wra.org>]
Sent: Tuesday, January 21, 2014 2:12 PM
To: Powers, Renee M - DOA
Cc: witynski@lwm-info.org
Subject: CSM/Subdivision bill

Hi Renee.

Here are the concepts for an amendment to the CSM/Subdivision bill that we discussed. We would greatly appreciate your review and any suggested changes. Thanks.

+ Limit the scope to commercial, industrial and mixed use

+ Allow lot lines to adjusted in a timely and cost effective manner (i.e., shouldn't have to go to court to get the lines adjusted)

+ Anything that constitutes a "subdivision" should be reviewed and approved by DOA, but subsequent changes to lots the plat (once reviewed and approved by DOA) should not have to be resubmitted to DOA for review and approval.

+ Allow local communities to limit their own review of a plat to CSM standards and process (i.e., they don't need to perform a Ch. 236 review or approval)

Also, what is the current time limit for DOA review and approval? I believe that this was addressed a few years ago and 90 days is the number that comes to mind, but someone asked me the question today and I couldn't recall for sure. Finally, can the local review and state review occur concurrently?

Thank you.

Tom

Thomas D. Larson - Vice President of Legal and Public Affairs

Wisconsin REALTORS Association

4801 Forest Run Road Suite 201

Madison, WI 53704-7337

Phone 608-240-8254

Cell 608-212-0066

Fax 608-241-2901

<<<[<>>>](http://www.wra.org/)

Unsubscribe: If you unsubscribe, you are directing the WRA to discontinue all e-mail to your e-mail address. You will not receive any further correspondence from the WRA via e-mail (including, but not limited to, education and convention reminders, political communications such as calls to action, dues information, committee materials, legal department communications including DR Hottips, etc.), and your e-mail address will be removed from all WRA membership lists, including the "Find a REALTOR" directory on the WRA Web site and membership lists furnished to other boards. To unsubscribe, click here: unsubscribe@wra.org <<mailto:unsubscribe@wra.org?subject=Unsubscribe>>

This e-mail message is intended solely for the person to whom it is addressed and may contain confidential and/or privileged information. If you have received this e-mail message in error, but are affiliated with the person to whom it is addressed, please notify the addressee that the e-mail has been received (otherwise delete it). Any review, dissemination, copying, printing or other use of this email message by persons other than the addressee is prohibited.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa158571
PJK:sac:ja

stays
r m not run

1556/1

Draft
SOON
(11-1-29)

Assembly
SENATE AMENDMENT 1,
TO SENATE BILL 502 663
Assembly

January 28, 2014 - Offered by Senator LASEE

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 3, line 7: delete lines 7 to 10 and substitute:
- 3 “236.02 (12) (bm) “Subdivision” does not include a division of land into 5 or
- 4 more parcels or building sites by a certified survey map in accordance with an
- 5 ordinance enacted or a resolution adopted under s. 236.34 (1) (ar) 1.”
- 6 **2.** Page 4, line 8: delete lines 8 to 11 and substitute:
- 7 “(bm) A certified survey map may be used to change the boundaries of lots and
- 8 outlots within a recorded plat, recorded assessor’s plat under s. 70.27, or recorded,
- 9 certified survey map if the reconfiguration does not result in a subdivision or violate
- 10 a local ~~subdivision regulation~~ ordinance or resolution.”
- 11 **3.** Page 5, line 4: delete lines 4 to 8 and substitute:
- 12 “236.34 (1) (ar) 1. Notwithstanding s. 236.45 (2) (ac) and (am), a municipality,
- 13 town, or county that has established a planning agency may enact an ordinance or

1 adopt a resolution that specifies a maximum number of parcels that is greater than
2 4 into which land that is situated in the municipality, town, or county and zoned for
3 commercial, industrial, or mixed-use development may be divided by certified
4 survey map.”.

5 (END)

D. note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

- date -

LRBa1556/1dn

PJK:.....
sac

✓ in wst room

This amendment is the same as SA 1 to SB 502.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1556/1dn
PJK:sac:rs

January 30, 2014

This amendment is the same as SA 1 to SB 502.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov